

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) 2:12-CR-383-JCM-(CWH)
)
 PORFIRIO INFANTE-CERVANTES,)
)
 Defendant.)

AMENDED PRELIMINARY ORDER OF FORFEITURE

This Court finds that on June 23, 2014, defendant PORFIRIO INFANTE-CERVANTES pled guilty to Count Four of a Nine-Count Criminal Superseding Indictment charging him in Count Four with Maintaining a Drug-Involved Premises in violation of Title 21, United States Code, Section 856(a)(1). Criminal Superseding Indictment, ECF No. 11; Change of Plea, ECF No. 109; Plea Agreement, ECF No. 110, Preliminary Order of Forfeiture, ECF No. 111.

This Court finds defendant PORFIRIO INFANTE-CERVANTES agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Superseding Indictment. Criminal Superseding Indictment, ECF No. 11; Change of Plea, ECF No. 109; Plea Agreement, ECF No. 110, Preliminary Order of Forfeiture, ECF No. 111.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Superseding Indictment and the offense to which defendant PORFIRIO INFANTE-CERVANTES pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section
2 853(a)(1) and (a)(2):

- 3 1. \$3,877.95 in United States Currency seized from JP Morgan-Chase Bank account
4 #xxxxxx7631 in the name of Chief Smokes, LLC;
- 5 2. \$63,157.21 in United States Currency seized from JP Morgan-Chase Bank account
6 #xxxxxxx2176 in the name of Hosam Al-Baderi;
- 7 3. \$940.06 in United States Currency seized from Mountain America Federal Credit
8 Union account #xxx4339 in the name of Hosam Al-Baderi;
- 9 4. \$743.35 in United States Currency seized from Mountain America Federal Credit
10 Union account #xxx1021 in the name of Coast 2 Coast Enterprises NV, LLC;
- 11 5. \$18,173.00 in cash seized from Al-Baderi in Salt Lake City, UT during his arrest on
12 October 23, 2013; and
- 13 6. 2008 Mercedes-Benz, Model CI63, bearing Utah license number 9745006, with
14 vehicle identification number WDDEJ77X28A015593, seized at the time of Mr. Al-
15 Baderi's arrest in Utah on October 23, 2012

16 (all of which constitutes "property").

17 This Court finds the United States of America is now entitled to, and should, reduce the
18 aforementioned property to the possession of the United States of America.

19 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
20 United States of America should seize the aforementioned property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
22 PORFIRIO INFANTE-CERVANTES in the aforementioned property is forfeited and is vested in the
23 United States of America and shall be safely held by the United States of America until further order
24 of the Court.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
26 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture

1 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
2 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
3 name and contact information for the government attorney to be served with the petition, pursuant to
4 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
6 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
7 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
8 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
9 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
10 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
11 petition and the relief sought.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
13 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
14 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
15 after the first day of the publication on the official internet government forfeiture site,
16 www.forfeiture.gov.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
18 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
19 following address at the time of filing:

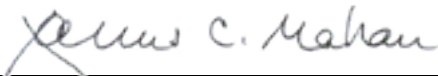
20 Michael A. Humphreys
21 Assistant United States Attorney
22 Daniel D. Hollingsworth
23 Assistant United States Attorney
24 Lloyd D. George United States Courthouse
25 333 Las Vegas Boulevard South, Suite 5000
26 Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency

...

1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED July 3, 2014

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7 UNITED STATES DISTRICT JUDGE
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